REMARKS

Applicants wish to thank the Examiner and his Supervisory Examiner for the courtesies extended to their attorney during an in-person interview on December 17, 2003.

Claims 1-29 were rejected under 35 U.S.C. §102(b) as being anticipated by Keshav et al. (Keshav). Though this rejection indicates that each of the claims were rejected based on Keshav, the Office Action does not contain arguments as to why claims 4, 10, 15, 20, 21, 28 and 29 were rejected based on 35 U.S.C. §102(b) using Keshav. In addition, the just-mentioned claims were rejected under 35 U.S.C. §103(a) as being unpatentable over Keshav in view of the ITU-TH.323 Standard entitled *Line Transmission of Non-telephone Signals* (hereafter the ITU Standard). Applicants respectfully disagree and request withdrawal of the pending rejections and allowance of the pending claims for at least the following reasons.

Section 102(b) Rejections

Keshav is directed at enabling an IP server (referred to as a "connection-less–oriented server") to communicate with an ATM server (referred to as a "connection-oriented routine"). Keshav does not disclose a system or method for establishing a dedicated channel to transport IP encapsulated ATM cells from one ATM network to another ATM network over an IP backbone network as in the present invention. There is no mention of a second ATM network within Keshav. This is not surprising because Keshav is not interested in transporting IP encapsulated ATM cells from one ATM network to another ATM

network. Instead, Keshav is only concerned with the interface between an ATM network and an IP network.

With respect to claims 1 and 30, Keshav does not disclose, teach or suggest a source gateway or an associated method which requests the IP address of a proper destination gateway from a controller, reception of an IP address associated with the destination gateway from a controller, transmission of an address registration message to the controller to register the source gateway, the exchange of set-up messages with a destination gateway to transport IP encapsulated ATM cells associated with a call nor the transmission of logical channel request messages to the controller to request the establishment of a dedicated channel between the source gateway and the destination gateway, as in claims 1 and 30. At most, Keshav appears to disclose the exchange of a virtual circuit identifier value between a connection manager 410 of an ATM host or PC 100 and an IP server application program 430. The virtual circuit identifier values disclosed in Keshav are not exchanged between two different gateways associated with different ATM networks as in claims 1 and 30 of the present invention.

Because Keshav does not disclose the transmission of IP encapsulated, ATM cells between a source and destination gateway, it follows that it is completely silent as to the use of logical channel request messages to establish a dedicated channel between such gateways as in at least claims 1 and 30 of the present invention.

Similarly, the arguments above apply equally to claims 24 and 31 which are directed at at least a destination gateway and an associated method. More specifically, Keshav does not disclose, teach or suggest any destination gateway at all because Keshav is not concerned with the transportation of IP encapsulated ATM cells from one ATM network (associated with a source gateway) to another ATM network (associated with a destination gateway). At most Keshav appears to disclose a single ATM gateway, providing, PC 100 is equated to a gateway (which Applicants believe is erroneous). There is simply no disclosure, teaching or suggestion in Keshav of a second ATM network, much less a destination gateway, as in at least claims 24 and 31 of the present invention.

With respect to claims 25 and 32 of the present invention, these claims are directed at a controller and an associated method used to establish a dedicated channel to transport IP encapsulated ATM cells from one ATM network associated with a source gateway to another ATM network associated with a destination gateway over an IP backbone network. It goes without saying that, at best the PC 100 in Keshav can only be equated to a source gateway or a controller, not both. That is, if the Examiner feels that the PC 100 equates to a source gateway as in the present invention, then Keshav fails to disclose, teach or suggest a controller as in the present invention. Similarly, if the Examiner feels that the PC 100 in Keshav equates to the controller in the present invention, then Keshav fails to disclose, teach or suggest a source gateway as in the present invention.

Claims 25 and 32 require a controller or method that receives messages from a source gateway and a destination gateway to register both the source and destination gateway. Keshav is completely silent as to the registration of both a source and destination gateway as in the present invention nor is there any suggestion of such registrations. Claims 25 and 32 also require the transmission of acknowledgements to both source and destination gateways to acknowledge the opening of a logical channel between a source and destination gateway in a response to logical channel request messages. Again, Keshav is both completely silent and provides no suggestion as to these features of the present invention.

Section 103 Rejections

With the exception of claims 4 and 17, Applicants have placed many of the features of the claims rejected based on Section 103 into one or more of the independent claims. In addition, Applicants respectfully submit that the subject matter of rejected dependent claims 4 and 17 is neither taught nor suggested by the relied upon references. For example, it appears that the ITU Standard is only relevant because it teaches the H.323 protocol. However, the ITU Standard does not address the transport of ATM cells from one ATM network to another ATM network. Regarding claim 4, the combination of Keshav and the ITU Standard does not disclose, teach or suggest a source gateway that transmits an H.323 protocol, IP signaling message to a controller to request an IP address of a proper destination gateway in order to establish a dedicated channel to transport IP encapsulated ATM cells from one ATM

network associated with a source gateway to another ATM network associated with a destination gateway over an IP backbone network, as in the present invention. Similarly, the combination of Keshav with Civanlar does not disclose, teach or suggest the exchange of set-up messages using a Q.2931 signaling format between a source gateway and a destination gateway to transport IP encapsulated ATM cells from the source gateway to the destination gateway via a dedicated channel as in the present invention.

In closing, Applicants respectfully request the withdrawal of the pending rejections and allowance of claims 1, 3, 4, 15, 17, 24, 25, 30-32.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By _____

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